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Senate Education, Health, and Environment Committee
The Honorable Paul Pinsky
2 West Miller Senate Building
Annapolis, Maryland 21401-1991

RE: SB 245 – Health Occupations – Social Workers – Scope of Practice, Supervision, and Application Decision Appeal Process

Dear Chairman Pinsky and Members of the Committee:

I am pleased to introduce Senate Bill 245 which aims to do four things.

First, it alters the definition of “practice social work” to clarify that social workers at all license levels, including the Licensed Bachelor Social Worker (LBSW) may engage in counseling for alcohol and drug use and addictive behaviors.

Currently, existing statute creates confusion about bachelor level social workers engaging in this type of counseling. This bill is not an expansion of scope of practice but merely a clarification of what these social workers can already do, such as counseling. This is not an expansion to activities such as diagnosis or treatment. We do not want this confusion to limit the workforce in this crucial area of care.

Secondly, I sponsored legislation in 2017 which created the status of LBSW and LMSW Independent practitioners. An element of that legislation provided a grandfathering clause to make it easier for LMSWs and LBSWs who had been licensed for more than ten years to be granted the independent status. Recent regulations promulgated by the BSWE have made it not easier, but in fact impossible for some LMSWs and LBSWs who were licensed before Jan. 1, 2008 to become Independent Practitioners. This bill will make clear that those licensed before Jan. 1, 2008 can meet the requirements for Independent Practice under the grandfathering clause or alternatively, in the same way as any other social worker licensed after Jan. 1, 2008.

In addition, this bill specifies that seasoned social workers, who are approved for independent practice, have worked for at least 5 years as a social worker and meet the supervisor education requirements shall automatically become a board approved supervisor upon applying for that

status. This will help solve the issue of the lack of board approved supervisors which in turn will allow employers to hire the staff that they need.

Finally, this bill adds an appeal process for the situation where an applicant is denied the opportunity to take the social work advanced licensing examinations. Currently there is no appeal process within the social work licensing act to address those who are denied the chance to take the exam; this is happening more frequently for reasons that do not seem consistent with the law and regulations. This provision, based on a similar process used by the Board of Examiners of Psychologists, will allow an applicant to take an appeal to the Board.

The legislation passed by the General Assembly in 2017 made some significant changes to the social worker licensing law. During the ensuing time, and with the promulgation of regulations, these items have been identified as areas where modifications are needed to ensure a robust and quality social work workforce. It is for these reasons I ask for a favorable report on Senate Bill 245.